

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARY MILLER,

No. C 12-03481 SI

Plaintiff,

ORDER SETTING HEARING

v.

WHOLESALE AMERICA MORTGAGE, INC.,
et al.,

Defendants.

Currently pending are defendants' motion to dismiss the First Amended Complaint and plaintiff's motion to remand. In opposing defendants' motion, plaintiff asked for leave to file a Second Amended Complaint. The Court finds that the Second Amended Complaint should be filed and defendants' motions to dismiss the first and amended complaints (Docket Nos. 5 & 19) are denied as moot.

Defendants shall file a motion to dismiss directed to plaintiff's Second Amended Complaint on or before **January 11, 2013**. That motion to dismiss and plaintiff's motion to remand (Docket No. 14) will be heard on **February 22, 2013 at 9:00 a.m.** Plaintiff's opposition to the motion to dismiss, as well as defendants' response to plaintiff's motion to remand, shall be filed on or before **February 1, 2013**. Defendants' reply in support of the motion to dismiss and plaintiff's reply in support of her motion to remand shall be filed on or before **February 8, 2013**.

The Case Management Conference currently scheduled for December 14, 2012 is continued until Friday, February 22, 2013 at 3:00 p.m.

IT IS SO ORDERED.

Dated: December 10, 2012



SUSAN ILLSTON
United States District Judge